

9200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant No. : 10/520,563 Confirmation No. 5264
Applicant : Langen Li
Filed : 07 January, 2005
TG/A.U. : Unknown
Examiner : Francine Young (703-308-9140 ext 215)
Docket No. : 05-0107-LI
Customer No. : 26357

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Typed name of person signing this certificate: Robert M. Hunter

Signature: Robert M. Hunter 42,679

Confirmation of Request for Reconsideration of Holding of Abandonment

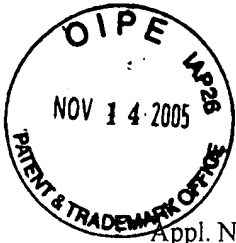
Sir:

Enclosed are hard copies of the two papers I faxed to you regarding the applicant's request for withdrawal of the holding of abandonment. For some reason, they are not showing up on PAIR. Please respond to this request.

Respectfully submitted,
ROBERT M. HUNTER PLLC

By: Robert M. Hunter
Robert M. Hunter
Reg. No. 42,679
Tel.: (808) 885-4194

Date: 11/08/05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/520,563
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Confirmation No. 5264

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NUMBER OF PAGES: 2 (Includes this page)

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Typed name of person signing this certificate: Robert M. Hunter

Signature: Robert M. Hunter 42,679

Supplement to August 9, 2005
Request for Reconsideration of Holding of Abandonment

Sir:

The enclosed copy of Form PCT/IB/308 was provided to the undersigned by the applicant today. It indicates that the International Bureau provided a copy of the international application to the USPTO in a timely manner. This information supports the applicant's request for withdrawal of the holding of abandonment.

Respectfully submitted,
ROBERT M. HUNTER PLLC

By:
Robert M. Hunter
Reg. No. 42,679
Tel.: (808) 885-4194

Robert M. Hunter

Date: 08/10/05

10-AUG-2005 10:36

FROM CCPIT 861066415678 LAW2

TO 02988305825

P.01/01

029 88305825

From the INTERNATIONAL BUREAU

PCT

NOTICE INFORMING THE APPLICANT OF THE
COMMUNICATION OF THE INTERNATIONAL
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

To:

CCPIT PATENT AND TRADEMARK LAW OFFICE
8th Floor
2 Fuchengmenwai Street
Beijing 100037
CHINE

Date of mailing(day/month/year)

23 January 2003 (23.01.03)

Applicant's or agent's file reference

IEC020035PCT

IMPORTANT NOTICE

International application No.

PCT/CN02/000486

International filing date(day/month/year)

09 July 2002 (09.07.02)

Priority date(day/month/year)

09 July 2001 (09.07.01)

Applicant

LI, Langen

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this notice:

KP, KR, US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EG, EE, EP, ES, FI, GB, GD, GE, GH, GM, GR, HU, ID, IL, IN, IS, JP, KE, KG, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, OA, OM, PH, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, UZ, VN, YU, ZA, ZM, ZW

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this notice is a copy of the international application as published by the International Bureau on 23 January 2003 (23.01.03) under No. WO 03/006700.

4. **TIME LIMITS** for filing a demand for international preliminary examination and for entry into the national phase

The applicable time limit for entering the national phase will, subject to what is said in the following paragraph, be **30 MONTHS** from the priority date, not only in respect of any elected Office if a demand for international preliminary examination is filed before the expiration of 19 months from the priority date, but also in respect of any designated Office, in the absence of filing of such demand, where Article 22(1) as modified with effect from 1 April 2002 applies in respect of that designated Office. For further details, see *PCT Gazette* No. 44/2001 of 1 November 2001, pages 19926, 19932 and 19934, as well as the *PCT Newsletter*, October and November 2001 and February 2002 issues.

In practice, time limits other than the 30-month time limit will continue to apply, for various periods of time, in respect of certain designated or elected Offices. For regular updates on the applicable time limits (20, 21, 30 or 31 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.

For filing a demand for international preliminary examination, see the *PCT Applicant's Guide*, Volume IA, Chapter IX. Only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination (at present, all PCT Contracting States are bound by Chapter II).

It is the applicant's sole responsibility to monitor all these time limits.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Judith Zahra

Facsimile No. (41-22) 740.14.35

Telephone No. (41-22) 338.91.11

Form PCT/IB/308 (April 2002)

TOTAL 5 01

2/2

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TO: Fax Sender at 8088854114

Fax Information

Date Received:

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08/10/2005 07:51	8088854114	WEBPATENT	PAGE 01/02
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. :	10/520,563	Confirmation No. 5264.
Applicant :	Langen Li	
Filed :	07 January, 2005	
TG(A.U. :	Unknown	
Examiner :	Francine Young (703-308-9140 ext 215)	
Docket No. :	05-0107-11	
Customer No. :	26357	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NUMBER OF PAGES: 2 (Includes this page)

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 571-273-8300 on August 10, 2005.

Typed name of person signing this certificate: Robert M. Hunter

Signature: Robert M. Hunter 42,679

Supplement to August 9, 2005
Request for Reconsideration of Holding of Abandonment

Sir:

The enclosed copy of Form PCT/IB/308 was provided to the undersigned by the applicant today. It indicates that the International Bureau provided a copy of the international application to the USPTO in a timely manner. This information supports the applicant's request for withdrawal of the holding of abandonment.

Respectfully submitted,
ROBERT M. HUNTER PLLC

By: Robert M. Hunter Date: 08/10/05
Reg. No. 42,679
Tel.: (808) 885-4194

1

PAGE 1/2 * RCVD AT 8/10/2005 1:57:10 PM [Eastern Daylight Time] * SVR:USPTO-EPXRF-524 * DNS:2738300 * CSID:8088854114 * DURATION (mm:ss):01:14 1/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/520,563

Confirmation No. 5264

Applicant : Langen Li

Filed : 07 January, 2005

TG/A.U. : Unknown

Examiner : Francine Young (703-308-9140 ext 215)

Docket No. : 05-0107-LI

Customer No. : 26357

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NUMBER OF PAGES: 4 (Includes this page)

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax. No. 571-273-8300 on August 09, 2005

Typed name of person signing this certificate: Robert M. Hunter

Signature: Robert M. Hunter 42,679

Request for Reconsideration of Holding of Abandonment

Sir:

The applicant is in receipt of a Notice of Abandonment dated 07/01/2005. The Notice arrived at the post office box of the undersigned during his annual vacation and came to his attention on his return. The Notice gives an international application priority date of 07/09/2001 and states that the subject national application is abandoned because the applicant has failed to provide a copy of the international application to the U.S. Patent and Trademark Office (USPTO) by 30 months after that priority date.

The applicant requests that the holding of abandonment be withdrawn because the stated priority claim was withdrawn by the applicant in a timely manner, making the filing date and priority date of the international application 07/09/2002. Confirmation of the timely withdrawal of the priority claim is given on the attached Form PCT/IB/317. The national application was filed on 01/07/2005, as evidenced by the enclosed copy of the return postcard, which was within 30 months of the filing date of the international application.

Because a Form PCT/IB/308 was not provided to the undersigned by the applicant before the subject national application was filed, the undersigned included a copy of the international application as filed (as published by International Bureau) in the national application filing. So, even if the International Bureau failed to provide a copy of the international application to the USPTO in a timely manner, a copy was provided by the applicant to the USPTO in a timely manner.

For the above reasons, the applicant requests that the holding of abandonment be withdrawn.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16, 1.17 and 1.492 which may be required during the entire pendency of this application to Deposit Account No. 500593.

Respectfully submitted,

ROBERT M. HUNTER PLLC

By:

Robert M. Hunter

Date:

08/09/05

Robert M. Hunter
Reg. No. 42,679
Tel.: (808) 885-4194

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF WITHDRAWAL OF PRIORITY CLAIM

(PCT Rule 90bis.3 and
Administrative Instructions, Section 415(a) and (b))

To:
CCPIT PATENT AND TRADEMARK LAW OFFICE
8th Floor
2 Fuchengmenwai Street
Beijing 100037
CHINA

Date of mailing (day/month/year) 04 Nov 2003 (04. 11. 03)	
Applicant's or agent's file reference IEC020035PCT	IMPORTANT NOTIFICATION
International application No. PCT/CN02/00486	International filing date (day/month/year) 09 July 2002 (09. 07. 02)
Applicant Li, Langen	

1. The applicant is hereby notified that the priority claim made in the international application has been withdrawn in accordance with a notice of withdrawal received from the applicant on:
31 October 2003 (31. 10. 03)

The attention of the applicant is drawn to the fact that the withdrawal of the priority claim will result in the re-calculation of time limits which have not already expired (see Rule 90bis.3(d)).

2. ☐ In the case where multiple priorities have been claimed, the above action relates to the following priority claim(s):

3. A copy of this notification has been sent to the receiving Office and to:

- ☐ the International Searching Authority (where the international search report has not yet been issued)
- ☒ the designated Offices (which have already been notified of the receipt of the record copy)
- ☒ the International Preliminary Examining Authority

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Abderrezak SMAHI
Facsimile No. (41-22) 338. 89. 65	Telephone No. (41-22) 338. 80. 21

The following received today:

In re application of

Applicant(s): Langen Li

DT02 Rec'd PCT/PTO

10/520563

07 JAN 2005

Title: ATMOSPHERE HEAT TREATMENT COCATALYST,
METHOD OF ITS APPLICATION, HEAT TREATMENT METHOD AND
HEAT TREATMENT ATMOSPHERE OF USING THE COCATALYST

Docket no.: 05-0107-LI

No. of pages of national application transmittal forms: 2 plus copy of 2nd sheet

No. of credit card payment forms: 1

No. of pages of declaration: 2

No. of pages of power of attorney: 1

No. of pages of application data sheet: 2

No. of pages of preliminary amendment: 9

No. of pages of substitute specification: 37

No. of sheets of substitute drawings: 2

No. of pages of copy of International Application: 43

No. of pages of translation of International Application: 50

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08/09/2005 15:09	8088854114	WEBPATENT	PAGE 01/04
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. :	10/320,563	Confirmation No. 5264
Applicant :	Langen Li	
Filed :	07 January, 2005	
TG/A.U. :	Unknown	
Examiner :	Francine Young (703-308-9140 ext 215)	
Docket No. :	05-0107-LI	
Customer No. :	26357	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Certificate of Transmission

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Signature: Robert M. Hunter 42,679

Request for Reconsideration of Holding of Abandonment

Sir:

The applicant is in receipt of a Notice of Abandonment dated 07/01/2005. The Notice arrived at the post office box of the undersigned during his annual vacation and came to his attention on his return. The Notice gives an international application priority date of 07/09/2001 and states that the subject national application is abandoned because the applicant has failed to provide a copy of the international application to the U.S. Patent and Trademark Office (USPTO) by 30 months after that priority date.

1

PAGE 1/4 * RCVD AT 8/9/2005 9:14:03 PM [Eastern Daylight Time] * SVR:USPTO-EF/RP-426 * DNS:2738300 * CSID:8088854114 * DURATION (mm:ss):01:20 1/4

NOV 21 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/520,563 Confirmation No. 5264
Applicant : Langen Li
Filed : 07 January, 2005
TG/A.U. : Unknown
Examiner : Francine Young (703-308-9140 ext 215)
Docket No. : 05-0107-LI
Customer No. : 26357
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NUMBER OF PAGES: 2 (Includes this page)

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Typed name of person signing this certificate: Robert M. Hunter

Signature: Robert M. Hunter

42,679

**Explanation of Previously-Filed
Request for Reconsideration of Holding of Abandonment**

Sir:

This paper explains the rationale for the applicant having filed a request for reconsideration of the holding of abandonment.

Volume II of the PCT Applicant's Guide: Introduction to the National Phase provides as follows:

"74. What has to be done by the applicant once the national phase has started? The usual national procedure applies to international applications during the national phase. What is said in the foregoing text and in the National Chapter (Summary) concerns only the acts that must be performed for entry into the national phase and those acts that should be performed on entering the national phase but may still be performed once it has started. What has to be done thereafter—at least the main procedural steps—is outlined for each designated Office in the National Chapter dealing with that Office. Applicants who are not familiar with the patent procedure before a certain designated Office should seek professional advice even where they are not obliged to be represented before that Office by an agent."

The Manual of Patent Examining Procedure provides as follows:

"711.03 Reconsideration of Holding of Abandonment; Revival

When advised of the abandonment of his or her application, applicant may either ask for reconsideration of such holding, if he or she disagrees with it on the basis that there is no abandonment in fact; or petition for revival under 37 CFR 1.137."

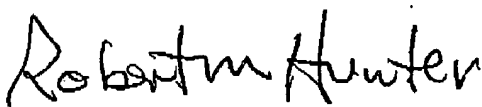
The facts are as follows: The applicant entered the National Phase on 10 January 2005. The applicant was notified of a holding of abandonment in a Notification of Abandonment that was mailed on 01 July 2005. On 09 August 2005, the applicant submitted information and requested reconsideration of the holding of abandonment because he disagrees with it on the basis that there is no abandonment, a procedure which is allowed under MPEP 711.03. Supplemental information was submitted on 10 August 2005. The information proved that the holding of abandonment was in error.

Based on the facts of this case, there is no abandonment. In a telephone interview on 18 November 2005, the undersigned and the Examiner established that the problem was that the Examiner was unaware that the priority date had been cancelled by the applicant in a timely manner. The filing of a petition was suggested by the Examiner, and that procedure has been investigated by the undersigned. However, proof that there was no abandonment in fact and a request for reconsideration was submitted to the Examiner in a timely manner. Therefore, no petition under 37 CFR 1.137 is necessary and none has been made.

While filing a petition is an option, filing a petition having a fee of \$250 would be a great financial hardship to the applicant who is a resident of Mainland China.

If the Examiner disagrees with the facts of this case, the undersigned understands that a petition to invoke the supervisory authority of the Director under CFR 1.181(a)(3) is the next step. Please let me know if that step is necessary.

Respectfully submitted,
ROBERT M. HUNTER PLLC

By: 
Robert M. Hunter
Reg. No. 42,679
Tel.: (808) 885-4194

Date:

11/21/05

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